

Message Text

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SUBJECT: HOUSE ETHICS COMMITTEE HEARINGS

THE FOLLOWING IS THE PREPARED TEXT OF THE PRELIMINARY
STATEMENT OF SPECIAL COUNSEL LEON JAWORSKI, OCTOBER 19,
1977 AT THE HEARINGS OF THE HOUSE COMMITTEE OF STANDARDS
OF OFFICIAL CONDUCT.

BEGIN TEXT

DEAR MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

AS YOU, MR. CHAIRMAN, EXPLAINED IN YOUR STATEMENT OF
THE SCOPE AND PURPOSE OF THESE HEARINGS, OUR OBJECTIVE
THIS WEEK IS TO FOCUS UPON THE ACTIVITIES OF SOUTH
KOREAN NATIONALS AND ELEMENTS IN THE GOVERNMENT OF
THE REPUBLIC OF KOREA IN FORMULATING, BUT NOT ONLY
FORMULATING, BUT IN CARRYING OUT A PLAN TO INFLUENCE
MEMBERS OF CONGRESS. THE FIRST PHASE OF OUR INVESTIGATION
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HAS BEEN TO PIECE TOGETHER THE FACTS REGARDING THESE
ACTIVITIES, AND IT IS MY BELIEF THAT WE ARE NOW PREPARED
TO LAY THOSE FACTS, AS WE HAVE THEM, BEFORE YOU.

AS YOUR COUNSEL, I MUST ADVISE YOU THAT, WE CANNOT
ASSIGN ABSOLUTE VERACITY TO EVERY ELEMENT OF THE TESTIMONY
TO BE ADDRESSED OR TO THE AUTHENTICITY OF EVERY INSTRU-
MENT TO BE PRESENTED IN THE COURSE OF THESE HEARINGS.
BUT WE CONCEIVE IT TO BE OUR DUTY TO PASS ON TO YOU
INFORMATION WE BELIEVE TO BE RELIABLE UNLESS WE EXPLICITLY

INFORM YOU TO THE CONTRARY. WE LEAVE TO YOU THE ASSESSMENT OF ITS WORTHINESS AND PROBATIVE FORCE. TO BE SURE, WE WILL NOT BURDEN YOU WITH MATTERS THAT ARE OBVIOUSLY FRIVOLOUS.

IT SHOULD ALSO BE EMPHASIZED THAT WE DO NOT CONSIDER THE FIRST PHASE OF OUR INVESTIGATION TO BE COMPLETE IN EVERY RESPECT. IN THE WEAVING OF THE PATTERN OF SOUTH KOREAN ACTIVITIES WITH SOME MEMBERS OF CONGRESS, WE ARE CONFRONTED WITH THE NEED TO USE CERTAIN LINKS IN FORGING THE CHAIN, SOME OF WHICH ARE CIRCUMSTANTIAL IN NATURE AND SOME OF WHICH TO BE SURE ARE HEARSAY. I POINT THIS OUT TO SUGGEST THAT FINAL EVALUATION MUST AWAIT THE COMPLETION OF ALL HEARINGS CONCERNING OUR INVESTIGATION. WE FEEL, HOWEVER, THAT THE FACTS DEVELOPED THUS FAR ARE SUFFICIENTLY COMPELLING AND THIS PHASE OF OUR INVESTIGATION SUFFICIENTLY COMPLETE TO WARRANT THIS PRESENTATION TO YOU AND THROUGH YOU TO THE AMERICAN PEOPLE.

THE SECOND PHASE OF OUR INVESTIGATION, WHICH IS NOW PROGRESSING, WILL FOCUS UPON THE ACTIVITIES OF SPECIFIC MEMBERS OF CONGRESS TO DETERMINE WHETHER THEY RECEIVED UNCLASSIFIED

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MONEY OR OTHER THINGS OF VALUE IN VIOLATION OF THE CONSTITUTION, APPLICABLE STATUTES, OR ETHICAL STANDARDS. THE IDENTITIES OF ANY SUCH CONGRESSMEN WILL NOT BE THE SUBJECT OF THIS HEARING FOR TWO REASONS.

FIRST, UNDER THE RULES OF THE HOUSE, INCRIMINATING INFORMATION AS TO A CONGRESSMAN CANNOT BE PRESENTED IN PUBLIC UNLESS AND UNTIL THE PERSON INCRIMINATED HAS BEEN GIVEN AN OPPORTUNITY, IN EXECUTIVE SESSION, TO REFUTE THE ALLEGATIONS BY HIS OWN TESTIMONY AND BY THE TESTIMONY OF OTHER WITNESSES HE CHOOSES TO CALL. IT IS INTERESTING TO ME THAT THIS RULE HAS BEEN IGNORED PERHAPS OVERLOOKED BY SOME IN COMMENTING ON TODAY'S HEARINGS, AND I ASSURE YOU THAT I CAN WELL UNDERSTAND THE EAGERNESS WITH WHICH NAMES OF POSSIBLE OFFENDERS ARE SOUGHT. BUT, THIS MUST BE DONE WITH FAIRNESS AND WITH JUSTICE. THE SAME STANDARD SOME OF OUR CRITICS WOULD WANT USED IN INSTANCES THAT MIGHT INVOLVE THEMSELVES. WE ARE NOW ENGAGED IN INVESTIGATING ALLEGATIONS AGAINST INDIVIDUAL CONGRESSMEN, OBTAINING THEIR TESTIMONY AND THAT OF OTHER WITNESSES. WHEN THAT TASK IS COMPLETED, AND NOT BEFORE, THE COMMITTEE WILL DECIDE WHAT INFORMATION REGARDING CONGRESSMEN WILL BE PUBLICIZED.

SECOND, THE IDENTITIES OF ALL OF THE CONGRESSMEN ALLEGED TO HAVE ENGAGED IN ILLEGAL OR UNETHICAL CONDUCT

CANNOT BE KNOWN WITHOUT THE COOPERATION OF THE KOREAN GOVERNMENT AND KOREAN NATIONALS WHO KNOW THE FACTS. I BELIEVE YOU WILL BE PERSUADED FROM THE EVIDENCE TO BE PRESENTED IN THESE HEARINGS THAT OFFICIALS OF THE KOREAN GOVERNMENT AND THAT SOME KOREAN NATIONALS ARE IN POSSESSION OF FACTS WHICH ARE ABSOLUTELY ESSENTIAL TO THE COMPLETION OF OUR ASSIGNED TASK. FOR THE TESTIMONY TO BE RENDERED HERE WILL TEND TO ESTABLISH THE FOLLOWING FACTS.
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IN THE SPRING OF 1973, REPRESENTATIVES OF THE KOREAN EMBASSY HERE IN WASHINGTON WERE TOLD OF A PLAN TO "BUY OFF" AMERICAN CONGRESSMEN. THE PLAN WAS EXPLAINED BY THE WASHINGTON STATION CHIEF OF THE KOREAN CENTRAL INTELLIGENCE AGENCY -- A MAN NAMED YANG DOO WAN, WHO OPERATED HERE UNDER THE ALIAS LEE SANG HO. THE PLAN WAS TO BE IMPLEMENTED PERSONALLY BY THE AMBASSADOR, KIM DONG JO, AND BY THE KCIA STATION CHIEF, YANG DOO WAN.

THE PLAN WAS SHROUDED IN EXTREME SECRECY. THE TESTIMONY YOU WILL HEAR WILL REFER TO CODE WORDS, THE USE OF DIPLOMATIC PRIVILEGE TO AVOID DETECTION, AND THE DESTRUCTION OF DOCUMENTS. NEVERTHELESS, THE EVIDENCE WE HAVE BEEN ABLE TO GATHER INDICATES THAT A PLAN WAS MADE AND, AT LEAST IN PART, CARRIED OUT. A FORMER KOREAN EMBASSY OFFICIAL WILL TESTIFY THAT IN THE SPRING OF 1973, HE CHANCED TO ENTER THE AMBASSADOR'S OFFICE WHERE HE SAW THE AMBASSADOR STUFFING ENVELOPES WITH 100 DOLLAR BILLS. THE AMBASSADOR TOLD THIS OFFICIAL THAT HE WAS GOING TO DELIVER THESE ENVELOPES TO CAPITOL HILL. THE TESTIMONY WILL ALSO SHOW THAT A MEMBER OF CONGRESS, FOLLOWING THE DICTATES OF THE LAW, REFUSED TO ACCEPT AN ENVELOPE FULL OF CASH TENDERED AT HIS OFFICE BY AN EMISSARY FROM THE KOREAN EMBASSY.

BY LATE 1974, THE KCIA STATION CHIEF, YANG DOO WAN, HAD RETURNED TO KOREA. HIS DEPARTURE DID NOT, HOWEVER, TERMINATE FURTHER IMPLEMENTATION OF THE PLAN. IN LATE 1974, A KOREAN-BORN BUSINESSMAN WHO RESIDED IN THE WASHINGTON AREA, NAMED HANCHO KIM, WAS RECRUITED

TO CARRY ON THE PLAN. THEREAFTER, DOLS 600,000 IN CASH
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WAS TRANSFERRED FROM KOREAN SOURCES TO HANCHO KIM THROUGH A KCIA OFFICER STATIONED IN THIS COUNTRY NAMED KIM SAN KEUN. WE WILL HAVE KIM SANG KEUN'S TESTIMONY, AMONG OTHER THINGS, THAT A SUBSTANTIAL PART OF THE DOLS 600,000 WAS TO BE USED TO INFLUENCE CONGRESSMEN.

WASHINGTON WAS NOT THE ONLY PLACE WHERE THE INFLUENCE-BUYING PLAN WAS IMPLEMENTED. IN AUGUST 1975, EIGHT CONGRESSMEN, ACCOMPANIED BY THEIR WIVES, VISITED KOREA. TESTIMONY WILL SHOW THAT, WHILE IN KOREA, TWO OF THE WIVES WERE OFFERED ENVELOPES FULL OF CASH. ONE ENVELOPE WAS TENDERED BY THE WIFE OF KIM DONG JO, WHO HAD BEEN THE KOREAN AMBASSADOR IN WASHINGTON WHEN THE PLAN WAS FORMULATED. THIS EVIDENCE CAN BE PRESENTED TO YOU BECAUSE OF THE PROPER AND FORTHRIGHT ACTION BY THESE CONGRESSMEN AND THEIR WIVES, WHO REJECTED THE MONEY AND LATER REPORTED THE INCIDENT TO THIS COMMITTEE.

THE TESTIMONY THAT YOU WILL HEAR WILL ALSO TEND TO ESTABLISH ANOTHER ASPECT OF THE PLAN TO GAIN INFLUENCE IN CONGRESS BY ELEMENTS IN THE KOREAN GOVERNMENT. IN 1967, TONGSUN PARK, A KOREAN NATIONAL WHO RESIDED PRIMARILY IN WASHINGTON, MET IN SEOUL WITH OFFICIALS OF THE KOREAN CENTRAL INTELLIGENCE AGENCY. MR. PARK EVENTUALLY CONVINCED THE KCIA THAT HE SHOULD BE MADE THE MIDDLEMAN IN PURCHASES OF RICE FROM AMERICAN SELLERS BY THE KOREAN GOVERNMENT. HE PROPOSED THAT COMMISSIONS THAT WOULD FLOW TO HIM AS THE EXCLUSIVE AGENT OF AMERICAN RICE SELLERS COULD BE USED TO CREATE A MORE FAVORABLE ATMOSPHERE FOR SOUTH KOREA IN CONGRESS. MR. PARK WAS, IN FACT, MADE THE MIDDLEMAN, AND RECEIVED RICE COMMISSIONS FROM 1968 THROUGH 1970 AND, FOLLOWING A SIGNIFICANT GAP IN 1971 AND EARLY 1972, THROUGH JANUARY 1976. THE COMMISSIONS PAID TO MR. PARK DURING THIS SEVEN-YEAR PERIOD AMOUNTED TO MORE THAN DOLS 9,000,000.
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EVIDENCE WILL BE ADDUCED TO SHOW THAT THE KCIA DIRECTED MR. PARK TO USE THE RICE COMMISSIONS TO BUY INFLUENCE AND THAT MR. PARK MADE REPORTS TO THE KCIA CLAIMING GREAT SUCCESS IN HIS EFFORTS TO INFLUENCE CONGRESSMEN. ONE DOCUMENT, PURPORTING TO BE A REPORT OF MR. PARK'S ACTIVITIES, WILL BE PRESENTED TO YOU. WE CANNOT VOUCH FOR THE ACCURACY OR ULTIMATE PROBATIVE VALUE OF THIS REPORT. INDEED, WE BELIEVE THAT IT IS INACCURATE OR EXAGGERATED IN SUBSTANTIAL RESPECTS. THE TESTIMONY AND DOCUMENTS TO BE BROUGHT OUT WILL, HOWEVER, LEAD TO THE REASONABLE INFERENCE THAT MONEY WAS INTENDED TO BE PAID, AND MAY IN FACT HAVE BEEN PAID, TO MEMBERS OF CONGRESS.

THE WITNESSES WHOSE TESTIMONY YOU WILL HAVE DURING THESE HEARINGS ARE AMONG THOSE WHO HAVE CONTRIBUTED, WHETHER VOLUNTARILY OR PURSUANT TO SUBPOENA, TO OUR ASCERTAINING THE TRUTH. FOR THE MOST PART, THEIR TESTIMONY WILL PAINT A GRIM PICTURE. BUT IT IS WORTH

NOTING THAT SOME OF THE EVIDENCE WILL SHOW THE COMMENDABLE CONDUCT OF PERSONS WHO REFUSED TO RECEIVE MONIES IN VIOLATION OF THE CONSTITUTION AND THE CODE OF ETHICS. WE MUST ALSO APPRECIATE THE FORTHRIGHTNESS OF THOSE WITNESSES WHO APPEAR TO REGRET SINCERELY ANY MISCONDUCT OR ERROR IN JUDGMENT THAT HAS TAKEN PLACE.

AS WE BEGIN THESE HEARINGS, I EMPHASIZE -- AS I HAVE DONE BEFORE -- THAT THE GOVERNMENT OF THE REPUBLIC OF KOREA IS NOT THE SUBJECT OF OUR INVESTIGATION. NOR IS IT OUR INTENT TO CASTIGATE, EMBARRASS, OR IN ANY WAY PASS JUDGMENT ON THAT GOVERNMENT, SOUTH KOREA IS A SOVEREIGN NATION AND, AS SUCH, HAS THE RIGHT TO JUDGE THE CONDUCT UNCLASSIFIED

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OF ITS CITIZENS AND PUBLIC OFFICIALS BY ITS OWN STANDARDS, WHICH MAY BE VERY DIFFERENT FROM OURS. THE METHODS USED BY THE KOREAN GOVERNMENT TO CONDUCT ITS FOREIGN POLICY ARE, UNDER PRINCIPLES OF DIPLOMATIC IMMUNITY, NOT SUBJECT TO QUESTION UNDER OUR LAWS. BUT WE HAVE THE RIGHT AND DUTY TO JUDGE THE CONDUCT OF OUR ELECTED OFFICIALS; AND THE REPUBLIC OF KOREA, AS OUR ALLY AND THE BENEFICIARY OF OUR HISTORIC FRIENDSHIP, HAS NO RIGHT TO COVER UP AND TO OBSTRUCT OUR INVESTIGATION OF ANY CONDUCT BY OUR PUBLIC OFFICIALS OF WHICH WE MAY DISAPPROVE. ALL WE DESIRE TO ACCESS TO THE FACTS, AND I BELIEVE FIRMLY THAT THE AMERICAN GOVERNMENT AND THE AMERICAN PEOPLE HAVE THE RIGHT TO EXPECT COOPERATION IN THIS REGARD.

THE OBSTACLE TO ESTABLISHING A FULL AND TRUE DISCLOSURE OF TONGSUN PARK'S ACTIVITIES WITH MEMBERS OF CONGRESS AS WELL AS THOSE OF OTHER SOUTH KOREAN REPRESENTATIVES AND EMISSARIES RESTS IN THE UNWILLINGNESS OF THE SOUTH KOREAN GOVERNMENT TO COOPERATE. NOT ONLY HAS THERE BEEN NO TENDER OF COOPERATION BUT EFFORTS TO RESIST OUR PROGRESS IN ASCERTAINING THE FACTS HAVE BEEN ENCOUNTERED.

WHEN SOUTH KOREAN DISPATCHES FROM SEOUL INDICATED A WILLINGNESS TO EXTEND US AN OPPORTUNITY TO INTERVIEW TONGSUN PARK, I OFFERED TO MEET WITH THE FOREIGN MINISTER DURING HIS RECENT VISIT HERE TO ASSURE OURSELVES THAT THE SESSION WITH MR. PARK WOULD BE MORE THAN A SOCIAL VISIT AND WOULD INVOLVE A FULL DISCUSSION OF THE RELEVANT FACTS. NOTHING FURTHER WAS HEARD FROM SOUTH KOREA UNTIL THE ATTORNEY GENERAL DISCLOSED THAT CONTACTS HAD BEEN MADE WITH HIS OFFICE FOR HIS NOMINEE AND FOR ME TO MEET WITH SOUTH KOREAN AUTHORITIES IN SEOUL REGARDING AN INTERVIEW OF TONGSUN PARK. ON FURTHER INQUIRY, IT WAS LEARNED THAT THE SOUTH KOREAN GOVERNMENT UNCLASSIFIED

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WAS WILLING FOR MR. PARK TO BE INTERVIEWED ONLY ON THE BASIS OF (A) TERMS LAID DOWN BY THAT GOVERNMENT AND (B) THE CONDITION THAT OUR INQUIRY END WITH THE INTERROGATION OF MR. PARK AND NOT EXTEND TO THE ACTIVITY OF OTHERS REPRESENTING THE SOUTH KOREAN GOVERNMENT. TO THESE TERMS WE COULD NOT AGREE, BECAUSE ANY RESTRICTIONS AND LIMITATIONS SUCH AS THE SOUTH KOREAN GOVERNMENT WISHES TO IMPOSE WOULD MAKE A FARCE OF THE RESPONSIBILITIES ENTRUSTED TO THIS COMMITTEE BY THE HOUSE OF REPRESENTATIVES.

BECAUSE OF WHAT HAS COME TO LIGHT IN OUR INVESTIGATION, BUTTRESSED BY THE PRESENT ATTITUDE OF THE SOUTH KOREAN GOVERNMENT, THERE ARE COMPELLING INDICATIONS THAT THE SOUTH KOREAN GOVERNMENT, NOT ONLY THROUGH TONGSUN PARK BUT AS WELL THROUGH SOME ELEMENTS IN THE GOVERNMENT ITSELF, WERE ENGAGED IN AN EFFORT TO INFLUENCE MEMBERS OF CONGRESS BY GIVING THEM VALUABLE GIFTS.

THE TIME HAS COME FOR THIS COMMITTEE TO GO ON RECORD TO RECOMMEND THAT THE HOUSE PASS A RESOLUTION CALLING ON SOUTH KOREA TO EXTEND FULL AND UNLIMITED COOPERATION IN A TOTAL DISCLOSURE OF THE ACTIVITIES, NOT ONLY OF TONGSUN PARK AS A FUNCTIONARY IN SEEKING CONGRESSIONAL FAVORS, BUT AS WELL OF THE ACTIVITIES OF THOSE WHO WERE OPERATING OUT OF THE SOUTH KOREAN EMBASSY AND OTHER AGENCIES AND INSTRUMENTALITIES OF THAT GOVERNMENT, WHETHER OR NOT AUTHORIZED BY THEIR SUPERIORS. I SO RECOMMEND.

THIS CONCLUDES THE OPENING STATEMENT. END TEXT. VANCE

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